

## **REMARKS**

### **I. Introductory Remarks**

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

Upon entry of the amendments, claims 22-23 and 25-44 will remain pending in the application, with claims 33-44 being withdrawn from consideration. Claim 22 is presently being amended and claim 24 is presently being canceled. No new claims are presently being added.

### **II. The Claims are Patentable over Dziegiel *et al.*, 1999**

Claims 22 and 25-32 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Dziegiel *et al.*, J. Immunol. Meth. 182: 7-19 (1995) ("Dziegiel"). According to the Office, Dziegiel describes a purified engineered Fab fragment that binds to the rhesus D erythrocyte surface antigen. This Fab fragment allegedly is "a functional variant" of SEQ ID NO: 58.

To better define their invention and to advance prosecution, however, Applicants have amended claim 22 to recite specific V<sub>H</sub> region sequences that Dziegiel neither teaches nor suggests. The sequences previously were embodied in claim 24, and exemplary support for the amendment exists in original claim 1.

Because Dziegiel neither teaches nor suggests any of the V<sub>H</sub> region sequences recited by the amended claims, Applicants respectfully request withdrawal of the rejection.

### **III. Supplemental Information Disclosure Statement**

The Office indicated that the Information Disclosure Statement filed March 1, 1999 failed to comply with 37 C.F.R. § 1.98(a)(2) because copies of several listed references allegedly were missing.

Applicants respectfully submit that all 22 references were submitted to the Office on March 1, 1999. As evidence, see the attached copy of a PTO date-stamped postcard, indicating receipt of 22 references.

Nevertheless, for the Examiner's convenience, Applicants are submitting a Supplemental Information Disclosure Statement, along with copies of the references that apparently are missing from Office's file.

Because Applicants previously submitted all 22 references, submission of the Supplemental IDS should not result in any determination of "delay" by Applicant for purposes of determining Patent Term Adjustment (See C.F.R. §§ 1.701 – 1.705).

IV. Concluding Remarks

Applicants respectfully request favorable reconsideration of this application, which now is in condition for allowance. If the Examiner believes that an interview would advance prosecution, he is invited to contact the undersigned attorney by telephone.

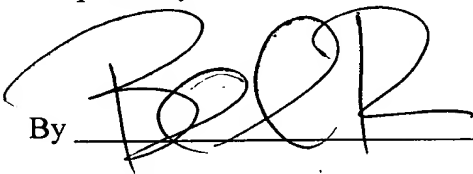
The Commissioner is hereby authorized to charge any additional fees that may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

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Respectfully submitted,

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